

Attorney Docket No.: BI-0004US.P1  
Inventor: Simons and Gao  
Serial No.: 09/426,011  
Filing Date: October 25, 1999  
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#### REMARKS

Claims 11 and 15-16 are pending in the instant application. Claims 11 and 15-16 have been rejected. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of the following remarks.

#### I. Double Patenting Rejections

Claims 11, 15 and 16 have been rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claim 17 of U.S. Patent No. 7,202,217 or claims 10, 12 and 13 of U.S. Patent No. 7,202,212. The Examiner suggests that while the conflicting claims are not identical, they are not patentably distinct from each other.

Applicants respectfully disagree with these rejections. However, in the interest of facilitating the allowance of the claims pending in this case, Applicants file herewith a terminal disclaimer in compliance with 37 CFR 1.321(c).

#### II. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly,

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favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,

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